

\*E-Filed 10/25/12\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WILLIE EUGENE WEAVER,

No. C 12-4856 RS (PR)

Plaintiff,

**ORDER OF DISMISSAL**

v.

WARDEN HEAPS,

Defendant.

This is a federal civil rights action filed pursuant to 42 U.S.C. § 1983 by a *pro se* state prisoner. By order of the Court, plaintiff was granted 30 days (1) to file a complete application to proceed *in forma pauperis* ("IFP"), or (2) to pay the filing fee of \$350.00, or face dismissal of the action. More than 30 days have passed since the order was filed, and plaintiff has not filed an IFP application nor paid the filing fee. Accordingly, the action is DISMISSED without prejudice. Any motion to reopen the action must contain (1) a complete IFP application, or (2) payment for the entire filing fee of \$350.00.

The Clerk shall enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

DATED: October 25, 2012

  
RICHARD SEEBORG  
United States District Judge

No. C 12-2520 RS (PR)  
ORDER OF DISMISSAL